

REMARKS

Claims 1-7 were examined and reported in the Office Action. Claims 1-4 are rejected. Claim 1 is amended. Claims 1-7 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. 35 U.S.C. § 102(a)

It is asserted in the Office Action that claims 1-4 are rejected under 35 U.S.C. § 102(a), as being anticipated by U.S. Patent No. 6,415,353 issued to Leung (“Leung”). Applicant respectfully traverses the aforementioned rejection for the following reasons.

According to MPEP §2131,

‘[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.’ (*Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). ‘The identical invention must be shown in as complete detail as is contained in the ... claim.’ (*Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, *i.e.*, identity of terminology is not required. (*In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)).

Applicant’s amended claim 1 contains the limitations of

a bank controller for controlling enablement of the first cell mat and the second cell mat respectively to prevent the first cell mat and the second cell mat from enabling simultaneously during the refresh operation.

Leung discloses read/write buffers for hiding refresh operations of memory. In Leung, a memory bank controller controls the operation of its corresponding memory bank according to a corresponding bank address. Leung, however, does not disclose a semiconductor memory device for controlling enablement a plurality of cell groups respectively. That is, Leung does not

teach, disclose or suggest Applicant's amended claim 1 limitations of "a bank controller for controlling enablement of the first cell mat and the second cell mat respectively to prevent the first cell mat and the second cell mat from enabling simultaneously during the refresh operation."

Therefore, since Leung does not teach, disclose or suggest all of Applicant's amended claim 1 limitations, Applicant respectfully asserts that a *prima facie* rejection under 35 U.S.C. § 102(a) has not been adequately set forth relative to Leung. Thus, Applicant's amended claim 1 is not anticipated by Leung. Additionally, the claims that directly or indirectly depend on claim 1, namely claims 2-4, respectively, are also not anticipated by Leung for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 102(a) rejections for claims 1-4 are respectfully requested.

II. Allowable Subject Matter

Applicant notes with appreciation the Examiner's assertion that claims 5-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant respectfully asserts that claims 1-7, as they now stand, are allowable for the reasons given above.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-7 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.


Jean Svoboda

Date: May 1, 2007